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Attorneys for Plaintiff  
MACLELLAN INDUSTRIAL SERVICES CALIFORNIA,  
LLC

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MACLELLAN INDUSTRIAL SERVICES  
CALIFORNIA, LLC,

Plaintiff,

v.

LOCAL UNION NO. 1176, Affiliated with  
INTERNATIONAL UNION OF  
PAINTERS AND ALLIED TRADES,  
AFL-CIO-CLC, and DISTRICT  
COUNCIL 16 of the INTERNATIONAL  
UNION OF PAINTERS AND ALLIED  
TRADES, AFL-CIO-CLC,

Defendants.

No. C 06 4021 MJJ

**STIPULATION AND ~~PROPOSED~~ ORDER  
FOR CONTINUANCE OF PLAINTIFF'S  
MOTION FOR PRELIMINARY INJUNCTION  
AND UAW'S MOTION TO INTERVENE AND  
MODIFIED BRIEFING SCHEDULE**

Date: August 22, 2006  
Time: 9:30 a.m.  
Courtroom 11, 19th Fl.  
Judge: Hon. Martin J. Jenkins  
Action Filed: June 28, 2006  
Trial Date: Not assigned.

**STIPULATION**

Pursuant to Local Rule 6-2, the parties stipulate as follows:

1. The International Union, United Automobile, Aerospace & Agricultural  
Implement Workers of America, AFL-CIO, CLC ("UAW"), which is not currently a party to the  
case, filed a Motion to Intervene as a defendant on August 1, 2006.

3. The UAW would like to participate in the hearing on Plaintiff's Motion for a  
Preliminary Injunction. Because the UAW's Motion to Intervene, if filed according to the

1 Court's ordinary schedule, could not be heard and decided until after the August 22 hearing on  
 2 Plaintiff's preliminary injunction motion, the parties agreed that the UAW's Motion to Intervene  
 3 could be filed and heard on shortened time. A Stipulation and [Proposed] Order Shortening Time  
 4 on UAW's Motion to Intervene was filed with this Court on August 1, 2006. As of the morning  
 5 of August 4, 2006, the Court had not yet issued an order approving this stipulation.

6 3. After reviewing UAW's papers submitted in support of its Motion to Intervene and  
 7 in Opposition to Plaintiff's Motion for Preliminary Injunction, the parties conferred again and  
 8 agreed that the hearings on these motions should be continued and the time for briefing modified  
 9 so as to allow all parties a full and fair opportunity to respond.

10 4. The parties agree that UAW's Motion to Intervene and Plaintiff's Motion for a  
 11 Preliminary Injunction may be continued to September 26, 2006, the next day on which the Court  
 12 is currently available to hear motions.

13 4. Concurrent with the continuance of the hearing, the parties agree to the following  
 14 briefing schedule for Plaintiff's Motion for Preliminary Injunction:

15 Plaintiff's Reply due: September 12, 2006

16 5. The parties further agree to the following briefing schedule for UAW's Motion to  
 17 Intervene:

18 Plaintiff's Opposition due: August 24, 2006

19 UAW's Reply due: September 8, 2006

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1 DATED: August 4, 2006

HANSON BRIDGETT MARCUS  
 VLAHOS & RUDY, LLP

2  
 3 By: Christina A. Luni  
 4 CHRISTINA A. LUNI  
 5 Attorneys for Plaintiff  
 6 MACLELLAN INDUSTRIAL SERVICES  
 7 CALIFORNIA, LLC.

8  
 9 DATED: August 5, 2006

WEINBERG, ROGER & ROSENFELD,  
 APC

10 By: David A. Rosenfeld  
 11 DAVID A. ROSENFELD  
 12 Attorneys for Defendants  
 13 LOCAL UNION NO. 1176, and  
 14 DISTRICT COUNCIL 16

15 DATED: August     , 2006

ALTSHULER, BERZON, NUSSBAUM,  
 RUBIN & DEMAIN

16 By: Jonathan Weissglass  
 17 JONATHAN WEISSGLASS  
 18 Attorneys for Proposed Intervenor  
 19 INTERNATIONAL UNION, UNITED  
 20 AUTOMOBILE, AEROSPACE &  
 21 AGRICULTURAL IMPLEMENT  
 22 WORKERS OF AMERICA, AFL-CIO,  
 23 CLC

24 **PROPOSED ORDER**

25 Pursuant to the parties' stipulation, Plaintiff's Motion for Preliminary Injunction may be  
 26 continued to September 26, 2006, at 9:30 a.m. with the following briefing schedule:

27 Plaintiff's Reply brief due: September 12, 2006

28 Pursuant to the parties' stipulation, UAW's Motion to Intervene will be heard on  
 September 26, 2006, at 9:30 a.m. with the following briefing schedule:

1 DATED: August 4, 2006HANSON BRIDGETT MARCUS  
VLACHOS & RUDY, LLPBy: Christina A. LiumCHRISTINA A. LIUM  
Attorneys for Plaintiff  
MACLELLAN INDUSTRIAL SERVICES  
CALIFORNIA, LLC.7 DATED: August     , 2006WEINBERG, ROGER & ROSENFELD,  
APCBy: David A. RosenfeldDAVID A. ROSENFELD  
Attorneys for Defendants  
LOCAL UNION NO. 1176, and  
DISTRICT COUNCIL 1613 DATED: August 4, 2006ALTSHULER, BERZON, NUSSBAUM,  
RUBIN & DEMAINBy: Jonathan WeissglassJONATHAN WEISSGLASS  
Attorneys for Proposed IntervenorINTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE &  
AGRICULTURAL IMPLEMENT  
WORKERS OF AMERICA, AFL-CIO,  
CLC**PROPOSED ORDER**23 Pursuant to the parties' stipulation, Plaintiff's Motion for Preliminary Injunction may be  
24 continued to September 26, 2006, at 9:30 a.m. with the following briefing schedule:

25 Plaintiff's Reply brief due: September 12, 2006

26 Pursuant to the parties' stipulation, UAW's Motion to Intervene will be heard on  
27 September 26, 2006, at 9:30 a.m. with the following briefing schedule:  
28

- 3 -

STIP TO CONT HEARING ON PLTF'S MTN FOR PI, UAW'S MTN TO INTERVENE AND  
MODIFY BRIEFING SCHEDULE (CASE NO. C 06 4021 MJ)


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1 Plaintiff's Opposition due: August 24, 2006

2 UAW's Reply due: September 8, 2006

3 IT IS SO ORDERED.

4 8/4/2006

5   
6 Hon. Martin J. Jenkins  
7 United States District Judge